IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 34146 of 2007(M)

PETITIONER:

BINDU VARGHESE, A.U.P.S.A.,
ST.MARY'S HIGH SCHOOL, KANDANAD,
RESIDING AT ALAMBLASSRIL HOUSE,
KANDANAD, ERNAKULAM DISTRICT.

BY ADV. SRI.K.JAJU BABU

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY SECRETARY TO GOVT., GENERAL EDUCATION DEPARTMENT, GOVT. SECRETARIAT, TRIVANDRUM.**

2. **THE DEPUTY DIRECTOR OF EDUCATION, ERNAKULAM.**

3. **THE DISTRICT EDUCATIONAL OFFICER, ERNAKULAM.**

4. **THE MANAGER, ST. MARY'S HIGH SCHOOL, KANDANAD, ERNAKULAM DISTRICT.**

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN,J

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W.P.(C).No.34146 of 2007

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Dated this the 20th day of November, 2007

JUDGMENT

The petitioner is an Upper Primary School Assistant. He has been appointed in a promotion vacancy as per Ext.P1 under the 4th respondent's school. There was a dispute regarding the entitlement of the manager who appointed the petitioner to be the manager of the school. During the pendency of the appeal with regard to the same the manager expired and the respondents 2 and 3 took the stand that since the appeal has become infructuous, the appointment made by the manager is invalid. The petitioner submits that it is patently erroneous in view of Rule 9(1) of Chapter XIVA KER. In the above circumstances the petitioner has filed Ext.P5-statutory revision petition before the first respondent. The petitioner now confines her prayer for a direction to the first respondent to consider and pass appropriate orders on Ext.P5 expeditiously.

2. I have heard the learned Government Pleader also. In the facts and circumstances of the case, there would be a direction to the first respondent to consider and pass

appropriate orders on Ext.P5, if the same has been received, as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. It would be open to the petitioner to move for interim orders also, in which case the first respondent shall consider the prayer for interim relief within a period of two weeks from the date of moving the interim orders. The petitioner shall be afforded an opportunity of being heard also.

The writ petition is disposed of accordingly.

S.SIRI JAGAN, JUDGE

dvs